

REMARKS

Claims 1-13 are pending in the application. Claims 7-13 have been added. Claims 1-6 have been amended. Claims 1, 7, and 12 are in independent form.

Specification

The specification has been amended to clarify terminology set forth in the application as filed. Applicants attest that no new matter has been added thereto.

Claim Objections

1. Claims 4-6 are objected to under 37 C.F.R. §1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. In response, Applicants have amended claims 4-6 to be singly dependent. Thus, the objection to claims 4-6 is moot.

Claim Rejections – 35 U.S.C. §112

2-3. Claim 1 stands rejected under 35 U.S.C. §112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention. More specifically, the Examiner states that “[r]egarding claim 1, the word ‘means’ is preceded by the word(s) ‘lever’ in an attempt to use a ‘means’ clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding ‘means,’ it is impossible to determine the equivalents of the element.” In response, Applicants have amended claim 1 by deleting “lever means” and adding -- an auxiliary lever -- to claim the structural element of the lock. Thus, the rejection of claim 1 is moot.

Claim Rejections - 35 U.S.C. §102

4-6. Claims 1-3 stand rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent 6,113,161 to Jung et al. (“the ’161 reference”). Applicants respectfully traverse the rejection.

The '161 reference discloses a motor vehicle door lock including a rotary latch 2 with a holding recess 3 mounted to a housing 1. The rotary latch 2 includes a main catch surface 6. A pin 4 is adapted to be received in the holding recess 3. A detent pawl 7 includes a catch lever 10 and a support lever 11. The catch lever 10 includes an opposing catch surface 9 which is adapted to engage the main catch surface 6 in a catch position. The support lever 11 is pivotally mounted at swivel axis 12 to the housing 1. The catch lever 10 and support lever 11 are coupled via a hinged axle 13 to pivot with respect to one another in the catch position. In the catch position, the detent pawl 7 is biased by a spring 8 into an extended position. An actuating element 16 is disposed on the rotary latch 2. Carrier 17 with spring 15 is attached to the hinged axle 13 and to second point 18 on the support lever 11. The spring 15 cooperates with the actuating element 16 to bias the detent pawl 7 into the extended position when the actuating element 16 engages the spring 15. The rotary latch 2 executes an overstroke when the motor vehicle door closes, and the spring 15 biases the detent pawl 7 into the extended position prior to, or during, the overstroke.

Claim 1 of the above-captioned application, as amended, includes the limitation of "an auxiliary lever (22), which can be actuated by said fork (8) during coupling with the lock striker (6) for exerting an action of thrust on said dog (9) and causing it to couple with said fork (8) itself, wherein said auxiliary lever (22) is biased towards a position of detachment from said dog (9)."

The '161 reference does not disclose an auxiliary lever that is biased towards a position of detachment from a dog, as specifically required by claim 1 of the above-captioned application. The Examiner contends that the catch lever 10 in the '161 reference is equivalent to the dog 9 in the above-captioned application. The Examiner further contends that the carrier 17 in the '161 reference is equivalent to the auxiliary lever 22 in the above-captioned application. The carrier 17 is attached to the hinged axle 13 which pivotally couples the support lever 11 and the catch lever 10. In other words, the carrier 17 is attached to the catch lever 10. Clearly, the carrier 17 is not biased towards a position of detachment from the catch lever 10 because the carrier 17 is attached to the catch lever 10. Thus, claim 1 is allowable.

Claims 2 and 3 depend from claim 1 and, as such, are construed to incorporate by reference all the limitations of the claim to which they refer, *see* 35 U.S.C. §112, fourth paragraph. Thus, claims 2 and 3 must be read as including the limitation of an auxiliary lever that is biased towards a position of detachment from a dog. Thus, claims 2 and 3 are allowable.

Therefore, Applicants respectfully request that the rejection of claims 1-3 under 35 U.S.C. §102(b) as being anticipated by the '161 reference be withdrawn.

Applicants have added new independent claim 7. Claim 7 claims a lock 1 including a plate 3; a fork 8 including a seat 13, which can assume an opening position enabling engagement and disengagement between a lock striker 6 and the seat 13, and a closing position withholding the lock striker 6 within the seat 13 to prevent disengagement therefrom; a dog 9, which can be coupled via snap-action with the fork 8 for blocking the fork 8 in a releasable way in the closing position; and an auxiliary lever 22 rotatably mounted directly to the plate 3, wherein the auxiliary lever 22 is actuated by the fork 8 during coupling of the fork 8 with the lock striker 6 thereby exerting an action of thrust on the dog 9 and causing the dog 9 to couple with the fork 8.

The '161 reference does not disclose an auxiliary lever rotatably mounted directly to a plate, as specifically required by claim 7 of the above-captioned application. The Examiner contends that the carrier 17 in the '161 reference is equivalent to the auxiliary lever 22 in the above-captioned application. The carrier 17 is attached to the hinged axle 13 which pivotally couples the support lever 11 and the catch lever 10. The carrier 17 is also attached to the support lever 11 at the second point 18. Clearly, the carrier 17 is not rotatably mounted directly to the housing 1 because the carrier 17 is attached to the catch lever 10 and the support lever 11. Thus, claim 7 is allowable.

Claims 8-11 depend from claim 7 and, as such, are construed to incorporate by reference all the limitations of the claim to which they refer, *see* 35 U.S.C. §112, fourth paragraph. Thus, claims 8-11 must be read as including the limitation of an auxiliary lever rotatably mounted directly to a plate. Thus, claims 8-11 are allowable.

Applicants have also added new independent claim 12. Claim 12 claims a lock 1 including a fork 8 having a seat 13 for receiving a lock striker 6 therein, the fork 8 rotatably mounted to the lock 1 for movement between an opening position enabling engagement and disengagement between the lock striker 6 and the seat 13, and a closing position withholding the lock striker 6 within the seat 13 to prevent disengagement therefrom; a dog 9 rotatably mounted to the lock 1 for engagement with the fork 8 for blocking the fork 8 in a releasable way in the closing position; and an auxiliary lever 22 rotatably mounted to the lock 1 separately from the dog 9, wherein the fork 8 abuts the auxiliary lever 22 during coupling of the fork 8 with the lock striker 6, thereby rotating the auxiliary lever 22 and causing the auxiliary lever 22 to abut the dog 9, thereby rotating the dog 9 and causing the dog 9 to couple with the fork 8.

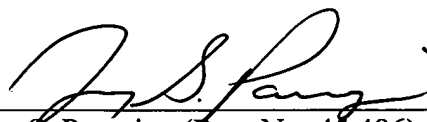
The '161 reference does not disclose an auxiliary lever rotatably mounted directly to a lock separately from a dog, as specifically required by claim 12 of the above-captioned application. The Examiner contends that the catch lever 10 in the '161 reference is equivalent to the dog 9 in the above-captioned application. The Examiner further contends that the carrier 17 in the '161 reference is equivalent to the auxiliary lever 22 in the above-captioned application. The carrier 17 is attached to the hinged axle 13 which pivotally couples the support lever 11 and the catch lever 10. In other words, the carrier 17 is attached to the catch lever 10. Clearly, the carrier 17 is not rotatably mounted directly to the housing 1 separately from the catch lever 10 because the carrier 17 is attached to the catch lever 10. Thus, claim 12 is allowable.

Claim 13 depends from claim 12 and, as such, is construed to incorporate by reference all the limitations of the claim to which it refers, *see* 35 U.S.C. §112, fourth paragraph. Thus, claim 12 must be read as including the limitation of an auxiliary lever rotatably mounted to a lock separately from a dog. Thus, claim 12 is allowable.

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It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

Respectfully submitted,



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